

INCINERATION OF THE BORDER

Human rights report monitors on recruitment of Yemeni civilian
fighters to defend Saudi Arabia's southern border

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Introduction

Since mid-2018, SAM received credible information that the Kingdom of Saudi Arabia, is recruiting Yemeni civilians, including children, through local brokers, some employed by the National Army, to fight for Saudi Arabia in the southern borders, against a monthly pay, without being part of the Yemeni or Saudi forces, taking advantage of the deteriorated economic situation of the Yemeni people, resulted from the war, suspension of salaries, and the blockade for more than 4 years.

This report is a conclusion of a research in which we endeavour to respond to questions related to the recruitment and the war conditions in which they are involved. SAM sought testimonies of local monitors and former officers and recruits, who left the service, including officers who were directly involved in the recruitment process, and former recruits who provide their testimonies and returned to the frontline to die there. SAM is deeply saddened and shocked for the cruel and inhumane process of mobilizing and recruitment, that expose the victims into an inevitable death.

Report Methodology

SAM worked for eight months (December 2018 to July 2019), to verify, inspect and document these cases, through field investigative research, carried out by group of researchers and monitors, to verify the information received on the networks that attract Yemeni youth to fight in the southern borders of Saudi Arabia.

The Organization's team conducted 25 online interviews of victims and witnesses, and obtained eight photos from different areas, including aerial photographs of combat zones, victims' itineraries, pictures of graves for the dead, whose colleagues were able to evacuate them from combat sites, and images of the wounded and dead. The team also watched a three hours video footage of former recruits, fathers of recruits killed the southern Saudi borders, including a father who lost three sons, one injured, and another father managed to rescue his elder son and return him from Al-Qade'a crossing to Taiz, but was killed

few months after his return in a mysterious conditions. SAM also, reviewed confessions of suspects who are accused of working with the trafficking network, included information about leading members of the network that they work for, and means of recruitment and transportation of the recruits.

SAM researchers contacted injured recruits at Saudi hospitals, and relatives of combatants, human rights activists, on the recruitment process, and conditions of the combatants at the Saudi borders.

We assessed the legal position based on the provisions of the Yemeni Constitution and the laws in force in addition to the four Geneva Conventions and its annexes and other international conventions, including the International Convention against the Recruitment, Use and Financing of Mercenaries.

Conclusions

The Organization concluded that what was happening at the border was a blatant violation of national laws and international conventions, which prohibit the use of civilians as “mercenaries” when they are used to fight with a state, outside the frameworks of domestic military laws governing them, in a way that does not protect their future rights as formal combatants. Although Saudi Arabia is labelling them as soldiers and some of them are given different military ranks, the reality of the field survey of the organization’s researchers confirms that they were only “unreal” soldiers and officers, especially since they do not have any permanent rights resulting therefrom, after their death as a result of the battles.

In this report, SAM concluded that thousands of Yemenis who had to go to fight to defend the Saudi border, under the pressure of poor humanitarian conditions and were killed or injured, were treated by Saudi Arabia as if they do not exist.

Nearly 300 Yemeni fighters have been amputated, at least one of their limbs, many of whom are currently housed in a housing for the wounded in Saudi Arabia’s Asir region, as well as others in other governorates and camps, most of them awaiting surgery to install artificial

limbs before returning to Yemen. While most of them are living in difficult psychological and humanitarian conditions due to the suspension of their salaries seven months ago.

Many of those killed were buried in tombs inside the kingdom without the knowledge of their families. Few of them were able to enter Saudi Arabia to receive their bodies and bury them, and many others were buried in Saudi Arabia, without their families’ knowledge, and few of them, their families managed to enter Saudi Arabia to receive their bodies and bury them. Some other soldiers their fate is unknown, and fear that they have been killed in unknown areas ..!!

SAM confirms that the file of the Yemeni fighters, who defend the southern border of Saudi Arabia, in return for money under the pressure of need, has greatly increased the pain and tragedies of the long war in Yemen. Many houses and villages are suffering frequent pains because their sons have been killed or injured. Human rights voices are rising to stop this youth incineration who pushed by difficult economic conditions, the poor humanitarian situation, and trafficking of the brokers with Yemenis lives in exchange for money.



Legal Status of Combatants

SAM couldn't find an official agreement between the legitimate government and the government of the KSA, to coordinate this process.

Also, there is no official entity under which these combatants are fighting, however the official role is seen in facilitating the entry and exit of the recruits through the borders officially, in addition to providing treatment at the Saudi hospitals at the expense of the Saudi government.

The Saudis rely on Yemeni brokers to attract fighters, as well as on Yemeni leaders among former officers. The fighters join an unofficial entity called the Popular Mobilization and other brigades and regiments, all are informal combatant forces, not affiliated with the Yemeni Ministry of defence or the Saudi Ministry of defence. The Yemeni Ministry of Defence has no authority over anyone going the fight on the Saudi border. What is clear is that the Kingdom is responsible for paying salaries in the Saudi currency, providing

supplies through Saudi territory, fighting with Saudi weapons, and using Saudi military communications networks.

From international law perspective, there is a legal suspicion that these fighters are mercenaries, especially their motivation to fight is the financial reward. Abdulmajeed Marari, Lawyer and Director of MENA Department at AFDI organization, told SAM that "Yemenis who are hired to fight for Saudi Arabia are "mercenaries," so the Yemeni authorities are not responsible for their safety, nor for any harm they may suffer. The Kingdom remains the only one responsible for their injury or death."

Marari confirmed that "Foreign informal combatants, have no legal guarantees. And all their hostilities they commit are war crimes under the international law, in particular Protocol I annexed to the Geneva Convention. Where mercenary, is the individual who take part actively in the armed conflicts for money, has no principles

to defend, and is not governed by values or laws in the field of conflicts, also does not have the status of a “fighter”, according to the law, or a “prisoner of war” if he falls into the hands of the enemy.

Lawyer and rights activist Omer Al-Hemyari, says “There is direct criminal responsibility for commanders, brokers and officers who lure young people, fighters, and soldiers to go to fight in defence of the Kingdom’s borders, and leave the frontlines in Taiz, or others, under Articles 56 and 57, and others, of the Military Offenses and Penalties Act, including Article 371, which provides that “whosoever exploit the need, inexperience or recklessness of a person, and provided him or received from him money or service that is not clearly commensurate with the return, shall be punished by imprisonment for a period not exceeding three years or by a fine”, which requires serious action to initiate criminal proceedings against them. According to SAM, the situation of Yemeni fighters on the Saudi-Yemeni border, from the perspective of international law, is complex situation. Although they are fighting alongside Saudi Arabia primarily because of financial reward, which means that one of the conditions for characterizing mercenaries is met, this type of person cannot be considered mercenaries, because they belong to a

state party to the ongoing conflict, Yemen, which takes them out of the definition of mercenaries. Where a mercenary, whether as defined in Additional Protocol I to the Geneva Conventions, or in the International Convention against the Recruitment, Use and Financing of Mercenaries, is required to be neither a national of a party to the conflict nor a resident of a territory under the control of a party to the conflict.

This may present a defect in the international law, as it was not envisaged in that such situation will emerge, where a state party to a conflict recruits persons from another party to the conflict to fight on its territory and within the context of the fighting on the territory of the party they hold its nationality, and against outlawed armed groups in the territory of the state party to that conflict. Where recruitment of persons in this manner was known only in spy networks, while these combatants were directly involved in fighting.

Based on the foregoing, we can say that these fighters can be considered a Yemeni militia working for and funded by Saudi Arabia, and is therefore responsible for them or for any violations committed by them, noting that Saudi Arabia oversees their training, salaries and the appointment of their leaders and direct their operations.

The Motives:

Money is the major motivation for most Yemeni recruits who fight on Saudi Arabia's southern border, but it is not the only motive. These fighters are there for reprisal, where Houthis group attacked their villages and towns in Taiz and other governorates, and many of them fought against Houthis among the forces of resistance or the army loyal to legitimacy, including some who were detained and tortured in the prisons of the Houthis, and brokers tell them that the battle of the border is the decisive battle, given the proximity of the confrontation areas to the mountains from which the Houthis militia began its wars against the Yemeni army in 2004.

Brokers target their young victims affected by salary cuts, or expatriates and children of expatriates expelled from Saudi Arabia due to a change in the policy of expatriate workers, or those who are not lucky to obtain military job in army brigades in Taiz province in particular, in addition to others motivated by enthusiasm in addition to fake temptations brokers provide them with, such as high salaries or official job in the legitimate army, and administrative jobs far from the frontlines.

SAM believes that the prolonged war has created a difficult humanitarian situation, making the brokers' job much easier in attracting more recruits, with the lack of job opportunities to make ends meet for the workers, salary delays of recruits in the pro-government army.

"I have three children. Because of hunger in Yemen, I had to join the fight in Al-Wade'a with a group of young people, through brokers from the village, who are trafficking on humans," said Amin Abdul Rahman Abdu Assaj, from Taiz governorate. I have been deployed in Baqim front, Alb, when attacking on a site at Tabbā al-Khazzan in Baqim I hit an explosive device and I lost my feet, and now I am bedridden or wheelchair-bound, in the accommodation of the wounded in Khamis Mushayt, along with more than 200 amputees wounded. I was not compensated, even salaries have not been paid, and they promise to [pay by end of Ramadan.], beside treatment and overdue salary payments, Assaj hopes his family will visit him in Saudi Arabia.

Mohammed Al-Majmari spoke about his friend Yusuf Abdullah, school friend, whom he calls "the martyr". "He was an accountant at the military police in Sana'a," Al-Majmari told SAM. "His living situation was as good as the accountants in military camps used to be, and he remained there





for almost a year. He then went to the border, and there he was not more than three months until he was martyred, leaving behind two wives and three children.”

According to his friend, lawyer and human rights activist Omar Al-Hemyari, Khalid Abdulwasie Al-Mikhlaifi was one of the first to join the fight against Houthis in his home city of Taiz. He was injured twice, in Al-Arbeen front, and his body was filled with shrapnel. When the fighting stopped, he went to Najran, two months later, he started communicating with me and wanted to come back to Taiz, but after he first went to Mecca to perform the Umrah, he told me: “difficulties in Taiz, hunger, and dengue fever, is more honorable than staying here for a day.”. we tried to contact his friends, but could not get through, few days later we heard about his martyrdom in the frontlines with one of his colleagues, his name was dropped from the payroll of the border brigade, and had also from the brigade where he served in Taiz. “

Tawheb Hael Saeed Seif, a 20-year-old bachelor from Taiz province, told SAM, “We entered the border from Al-Wade’a, and registered at the Popular Mobilization, to save on marriage expenses. We’ve been told that we will be serving as military police at Alb front. They took us to the front and I was injured by a mortar shell in both my legs, they wanted to amputate them, but I refused, and currently I can’t move them because of the severed nerves. I was paid SAR.500 as compensation, and my salary 3000, and paid each three months, after deducting 450 of each salary. “



Travel documents from the Yemeni Consulate

SAM, through some testimonies and documents obtained, considers the Yemeni consulate in Jeddah as an accomplice in the recruitment process. By facilitating the entry of fighters into Saudi Arabia, the consulate gives a document called “Emergency Travel Document”. It is a document containing the following data: document number, name, surname, date and place of birth, occupation, date of issue and expiry date, and the basis for issuing the permit. The brigade to which the combatant belongs is often referred to in this document. The document also includes the seal of the document’s executor and the signature of the Consul General. While SAM, is not aware of the level of coordination between the Republic of Yemen and Saudi Arabia in this regard, SAM noted that many of the fighters who entered Saudi Arabia did not have any Yemeni travel documents and move within Saudi territory, with this emergency travel document. “

Receiving and Dispatching Mechanism

SAM organization noted that, according to identical recorded testimonies, Al-Wade'a port, which is under Saudi disposal, serves as a "reception camp", with six combat brigades, each brigade has its own registration office, through which civilians are registered, according to any personal document, regardless of age, whether it is an identity card, a passport, or even a school seating number.

Another six brigades are deployed on the other side of Saudi territory; Al-Fath, Attahaluf, 63 brigade, 102 infantry brigade, Al-Asifa, and Harb 1 brigades, to which the combatants are transported, few days after registering their names and details at the reception camp at the Yemeni side of border at Al-Wade'a port.

The exact numbers of fighters are not known. SAM received identical responses that only the Saudis knew the total number of recruits on the ground (the same applies to knowing the exact number of dead and wounded among them). However, according to estimates from more than one source, the number of combatants is likely to range

from 30,000 to 35,000.

Mujeeb, one of those who fought in the border says; "there are two ways for registering recruits; either in the reception camp, or through the brokers who spread at the borders, however, the recruits rarely go to the reception camps, due to the boring training programs that do not provide them with anything useful, or gain real experience in the field of combat. In addition to the length of training and the hardship of hot climate and dust. They also do not receive salaries during this period, making them turn to brokers to enter through the desert routes, or through the Saudi port of Al-Buqu - a border crossing into the Yemeni province of Sa'da, where fighting is intense - by obtaining permits from brigades they will join."

"In order to attract these individuals, the broker will hand each person a sum of money upon his departure from Mareb province (eastern Yemen) to the border, ranging from 150 Saudi riyals (20,000 Yemeni riyals) to SAR.500 (75,000 Yemeni



riyals), depending on the broker's integrity."

"When the fighters arrive, they are armed and deployed to carry out combat missions," Mujib said. The problem is that, some of them never carried weapon before, also some of them are below 18 years, but and are serving at military points, in order to avoid being captured by Houthis, and fearing consequences."

SAM has confirmed that there are many fighters under the age of 18, most of whom are schoolchildren. "There are many fighters between the ages of 16 and 18," says a 17-year-old relative (born in 2002). "There are many fighters between the ages of 16 and 18, and there is no age examination at Al-Wade'a port, where they sometimes rely on identifiers from Yemeni officers to register young fighters."

Marwan (a pseudonym for a 20-year-old young man and a fighter on the Saudi border) tells SAM that "recruitment is unregulated and untidy in line with the relevant laws and regulations of the military corps, which are supposed to be followed. Where recruitment and fighting in Al-Buqu, is a monthly wage work, and each group report to different commander and each commander has a number of fighters affiliated to him in the frontlines."

Seif, another 22-year-old fighter, told SAM: "I registered my name at the 9th brigade – Popular Mobilization, at Al-Wade'a port, and we were trained in the so-called Coalition Gate, until we gathered, and then they took us on buses to the border and deployed us on the fronts."



Mobilization Brokers

“It is difficult to reach the names of the network that is working to mobilize Yemeni fighters to fight on the southern border of Saudi Arabia and involve them into a battle with no clear unknown outcome and consequences” SAM says. From the interviews made with the recruits and injured; two key people were designated by the Saudi Arabia to mobilize recruitment; namely Yasser Mujalli, commander of the 5th Brigade, Border Guard, who is from Sa’da governorate, and is the brother of Sheikh Othman Mujalli, Minister of State in Hadi’s government, and he has delegates who receive recruits at Al-Wade’a port.

And Yasser Al-Harethi, a Salafi leader, more like Hani bin Break deputy chair of the Southern Transitional Council, in addition to other people, including Hisham Al-Jammal, liaison officer and wounded delegate, Yassin Al-Baheli, works at the Ninth Brigade, and staff of the Fifth Brigade, with great authority. In addition to other networks, particularly

in Taiz, from where majority of combatants descend. Many names are works within a recruitment network at cities, villages level, and at army’s brigades. SAM has obtained some names, and documented confessions of some of them, testifying that some of the commanders of the Salafi leader Adel Abdo Fare’ “Abu Al-Abbas”, had a role in recruiting youth in Taiz, and Sabir, Al-Ma’fir, and Al-Misrakh districts.

The brokers get financial reward for each combatant they sent to the border, between SAR.1500 - 2500 (\$.400-660), and SAR.500 to 1000 for young soldiers who serve at the towns and villages.

Salem a former combatant served at the border, tells SAM that “there are more than 50 brokers at Al-Wade’a port, mobilizing people and get SAR. 500 or more for each combatant. It became a trafficking on youth souls at the port, just like livestock, for their own personal interests.”



Children; Fuel of the War

Despite the UN Secretary-General, designated both the Houthi group and the Saudi-UAE coalition, in the list of shame of the of the child rights abusers in Yemen, both parties continued to recruit children on the Yemeni-Saudi border, in very large numbers, especially by the Houthis group, and the southern border of Saudi Arabia turned into crematory that burn the dreams and aspirations of Yemeni children, by partial or permanent injuries, where they join the fighting without adequate combat experience.

SAM organization monitored the Houthi mobilization of many children between 12 and 15 years in the frontier, from several governorates, mainly from Amran, Sa'da, Sana'a and Ibb. Where they receive training at different camps, including Al-Sawad in Sana'a, a camp in Amran, and in Sa'da.

Yakoub, a fighter on the Saudi border; says to SAM "When we launched an attack on some of the Houthis-controlled positions, many children were captured, most of them from Amran, Sa'da, Sanaa and Ibb, and when they were interrogated, it was found that most of them were forcibly recruited, and sent to the fronts, after intensive indoctrination sessions, against the legitimate army, and described them as ISIS", "Houthis give the children a numbered key tied at their hands, and tells them that it is the key to paradise", he added.

SAM has dedicated a chapter on child recruitment in its annual reports of 2016 and 2017, published at the Organization's website, and will dedicate another chapter in the 2018 annual report.

Fighting and Endless Risks

The southern border region of Saudi Arabia, is one of the most tense and dangerous areas in the ongoing fighting in Yemen, considering the number of Yemeni victims who have been killed and wounded there, due to the intensity of the fighting, the large number of ambushes and the rugged terrain.

SAM had seen letters from one of the recruits, addressed to an officer in Mareb, complaining of “the fears the inexperienced Yemeni fighters at the border.” One of the letters, seen by SAM, included a complaint by an officer “asking his fighters to seize heights from Houthis militias at any cost. So, many fell because of sniping, military ambushes, mines, or direct confrontations.”

“Saudi Arabia has deport Saudi civilians from the border areas with Yemen, as in Dhahran. Only Arab and Asian nationals remain,” Mujahid, one of the Yemeni fighters in the southern borders told SAM. “Houthis controlled some of these areas, inside Saudi territory, and the Yemeni fighters are expected to liberate them, while they know nothing about its (topography), therefore, they sustain heavy tolls, including death, wounding and disability, and most of the losses occurs due to lack of experience”, he added.

Saeed, a combatant at the Saudi southern border said “It is enough to see the number of Yemenis buried in one cemetery, to get shocked for the huge number, how about the rest of the graves?! “the number of wounded is countless; the ambushes by Houthis, mines and EIDs, have amputated legs of many of the Yemeni recruits in the southern Saudi border.

“the number of wounded is very high, including some of them who lost their feet due to a landmine planted by militias, and by live bullets, and others with shrapnel from Houthis and Katyusha rockets or the Howitzer cannon” another soldier told SAM.

Saleem, a fighter who left the fighting because of salary delays and went to work in the KSA, told SAM, “Here in the housing of the wounded, in Khamis Mushayt, a large number of wounded are amputees, or with other injuries, an estimated 200 fighters are still waiting to undergo surgery, mostly plastic organs transplant, before returning to Mareb in Yemen.”



Fighting Under Chaos Flag

These victims fight in the southern border of Saudi Arabia, and receive salaries irregularly, and each time they get paid, they also get a fictitious rank, based on which their salaries are estimated, and in subsequent payroll list the rank can be promoted or demoted. When they request a leave, they are treated at the Saudi port as if they were illegal immigrants, the Saudi authorities register their fingerprints electronically, then they are banned from entering the Kingdom, even if they get an official visa.



Mistakes and Free Death “Death for No Cause”

Battles by Yemeni recruits in defense of Saudi borders against Houthis militia, are taking place in very rigorous mountainous areas, and sometimes with the participation of the air cover of the Coalition, but sometimes the Coalition bombs the sites of the forces loyal to Saudi Arabia, and by artillery and the tanks also, who made some mistakes and caused casualties

Seif, confirms in his statement to SAM that “there were air strikes, which claimed the lives of many soldiers at the sites, and considered as “mistaken air strikes.”

The Organization obtained official documents proving that such incidents did occur. One document, a report issued on Monday, 16 October 2017, confirms that, a Saudi aircraft targeted a number of Yemeni combatants, who were present with their personal weapons in one of the Qat farms in the Jinah Alsaqr area. The document attributed to eyewitnesses, that the Saudi air strike killed nine fighters, turned them all into pieces. According to the document, a fact-finding committee was formed on the incident.

In another document, speaks of another incident, on 3-11-2017, in which a number of fighters at Anmimir site was hit by a tank shell,

which resulted in the death of a lieutenant and wounded three assistants, all belonging to the Fifth Brigade camp, border guard. Previously, such incidents were repeated in Attabba Alsouda, and Alkhazzan sites, the Mosque, and Ashabaka (the network) sites. The document pointed to the rage of the members of the brigade because of these mistakes.

One of the most tragic mistakes is an incident that Seif recounted to SAM; “In March 2019, a rocket strike took place in the Al-Buqu area, killing more than 80 combatants and injuring 250. Forty of the dead from one district; Jabal Habashi, in Taiz.”

“Among those strikes, which are classified as (mistaken), according to their classification, which are many; a strike occurred almost nine months ago in Al-Wihda camp, whose leader is Sheikh Raddad, where nearly 30 soldiers were killed, and 20 were injured, among the soldiers and officers. Another strike targeted the 1st Brigade in al-Jouf province, killing 20 and wounding 50 others. The mistaken strikes are still going on and we do not know when it will stop.” Added Seif.



Stories and Testimonies

Saeed, a brother of one of the fighters, told SAM he was worried about the fate of his brother, who was fighting in the Nihm axis - on the outskirts of the capital Sana'a in the east - before an officer persuaded him to go to Al-Yatama axis - Al-Jouf governorate. Northeast Yemen). "The last contact I had was with my brother, appeared to regret his new location, and said he trying to find a way out to return. Now it is difficult to contact him as there is no telephone network in that area", he said.

Majid, a former combatant told SAM that; "they treat us like a daily wage labors, or let's say like mercenaries, this is right description."

Hadi, another combatant, in the southern borders, expresses sorrow to SAM, saying: "What is more regrettable is that there are individuals who sweat, and shed their blood in the fronts, and then they are surprised

that their names have been removed from payrolls. Simply, just like that, what they can do? Nothing!"

"When payments are delayed for long periods, nobody dares to protest and demand his salaries. It has happened before. Those who have protested before, have been threatened with 'fingerprinting' and being deported without salaries. They tell us, 'As we brought you, we will bring others'", "We hear such a threat from Saudi and Yemeni officers as well." Hadi added.

"the salaries are delayed for up to seven months in the Al-Jouf / Al-Yatama axis on the border, and even when we receive them, they are deducted by the commanders of the axis ", Seif, one of the fighters, told SAM.



Neglect of the wounded

SAM has not been able to obtain an accurate number of the wounded from official sources; but according to estimates from combatants' interviews, there are 10,000 wounded approximately, since the beginning of the war. Our reports indicate that many of the Yemeni war wounded fighting on the Yemen-Saudi border do not receive the necessary care. Many of the wounded were forcibly deported to the wounded housing in the Yemeni province of Mareb - on the Saudi-Yemeni border - while some were given meagre compensation, sometimes only SAR.500. The Organization also found that many of the wounded are in a bad psychological situation, as a result of several reasons, mainly: ill-treatment, delayed payment or suspension of salary, or deductions by the Yemeni military leaders. "We regret to see very clearly the neglect to our wounded, while we note a great care shown to Houthis wounded and captives, and serious attempts to evacuate them from the confrontation area, and to transfer them to the field hospital and then to the General Hospital, all under the justification

to extract information, or to exchange them with Saudi prisoners, if there are prisoners with the Houthis." Mohamed said "whereas the wounded among the resistance (fighters), sometimes they remain in the area of the confrontation for a whole day or a whole night, without help, and may die from bleeding. They further dispatch more recruits to the frontline without an ambulance or medical services, there is not even a first aid kit."

Mohammed confirms that he saw one of the wounded, who was injured by shrapnel of a bomb "remained in the scene of the clash from 8 am until 11 pm, and his wounds bleed, where there was no first aid team to stop the bleeding, or evacuation team for transfer to the field hospital, and we've to carry him at stretcher on foot, as the road was mountainous, we continued from 12 pm to 6 am. Whereas if the wounded and captive is a Huthi, they would send ambulance teams for first aid, and paramedics staff to accelerate his transfer to the Najran General Hospital. "

Yakoub, another fighter on the border, talks





about the difficulty of dealing with the wounded, given the rugged terrain, on the one hand, and the negligence of the commanders to overcome these problems, on the other. “due to the distance between the combat zone and Mareb, to where wounded are transported, about 2000km, most of the wounded die from minor injuries, such as a gunshot, the victim may die due to lack of medical attention, especially first aid. The wounded are even neglected after the fighting.

Abdulhamed Mahyoub Saeed, 40, from Taiz, married and father of seven children, tells SAM researchers his tragedy. “I’m a professional soldier, I was dispatched to Alb border axis, few days after I arrived Al-Wade’a, port they’ve treated us well at the camp, till I got injured when our armoured vehicle overturned when hit a landmine, I broke my leg and pelvis. I did not get any compensation from Saudis, apart from my salary, and then sent me to the wounded housing in Mareb, after I had surgery to fix my leg, but unfortunately it was a failure, my condition deteriorated due to negligence, and I had a stroke in the lungs with high blood pressure, which caused me an infarction in myocardium, and now I am under treatment because I have a heart problem and an unstable stroke. I have been in the housing of the wounded in Saudi Arabia, where there are many more than 200 wounded, other than those in camps and hospitals in some Saudi provinces.”

“I have a medical report from the cardiologist to have a cardiac catheterization operation, but the Asir General Hospital in Abha refused to perform this surgery. Rather, the committee

decided to release me from the hospital, and they asked me whether to go Mareb or to the camp, I choose to go the camp, so an ambulance and a military police car escorted me, and deported me to the accommodation of the wounded in Mareb” He added.

“Wahid”, also married with four children from Taiz, was recruited within the so-called “Popular Mobilization” in Al-Wade’a port, in the 102-infantry brigade, and then moved to the 5th Brigade - Border Guards, led by Yasser Mujalli, and currently became a war wounded. “I was wounded in Baqim by a mine that left my right leg amputated and lost my left eye. I had been in the hills for three days without an ambulance, there was no ambulance crew or any paramedics”, he told SAM his story. Then the deminers team took me and currently I’m receiving treatment.”

He added: “I was not compensated. Unfortunately, I stayed without a salary for seven months. Now in Jeddah to get an artificial leg, my other leg is tired, and I can only walk with difficulty. Also, I need plastic surgery to my face. Just three months ago, I received three salaries, so I sent them to my family to pay the debts in full, and now my family wants me Ramadan expenses, then Eid will come and they will need other expenses, while the rest of my salary dues have not arrived yet, and I have not seen my family, that I could not visit me since I got injured.”

SAM obtained an audio recording of one wounded on 13 May 2019, where he claims that the Saudi government has deported 200 wounded from the KSA, to Mareb, Yemeni governorate, under the pretext that Saudi had established and equipped a specialized hospital in Mareb.

The Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, of 12 August 1949, provides for article 15 thereof “At all times, in particular after the engagement in hostilities, the Parties to the conflict shall take without delay all possible measures to search for, collect, and protect the wounded and sick from looting and ill-treatment and to provide them with the necessary care”. In addition to the Geneva Convention in Articles (3-12-15), which included, inter alia: “Treatment and prohibition of attack, prohibition on executing them, not subjecting them to torture and subjecting them to tests, and providing the necessary care for them, without discrimination based on religion, color or sex”. It is noted that the law did not differentiate between the wounded inside or outside the war. It also did not distinguish between the wounded who were unable to fight and those who were able to fight.

SAM Organization stress on the need to provided wounded with adequate medial care and fair compensation, in accordance with Geneva convention.

The fate of the dead .. after death

The Yemeni recruits join the fight in the southern border of the KSA, hoping to get some money, but unfortunately all they get is rapid death. The lucky ones will get their dead body retrieved, and thereby get known graves, and their families few moneys for funeral service. Others whose bodies could not be retrieved; their bodies will be left to the wild animals, or dissolved by acid, and delisted from the brigades they used to serve with.

Majority of the bodies of the combatants who killed in the border, were not returned to Yemen, and are buried in Saudi Arabia, some in known cemeteries, and others in unknow; because they were killed at places hard to access, or by mistaken air strikes, and no bodies

were left to bury, or by Houthis missile strikes; or explosive devices, which ripped their bodies into pieces scattered everywhere, and difficult to assemble. Also, many killed recruits could not be retrieved out of the fire line and left in the mountains and reefs to decay or to the wild animals. Some talk about the dissolution of dead bodies using acid (concentrated sulfuric acid), by both parties (Houthis and militia loyal to Saudi Arabia) to avoid the emission of bad odour from decomposition of bodies.

The recruits who were killed in the southern borders of Saudi Arabia, whose bodies are retrieved from the combat zone, are mostly buried in the Saudi city of Najran, and the heirs get





a compensation of SAR.3000-15,000, transferred via local exchange agents, but those whose bodies could not be retrieved, their heirs, normally get nothing.

SAM obtained photos of new cemetery at wide space, allocated for Yemeni recruits who killed while defending the Saudi southern borders, including two cemeteries in Jizan, one in Sabya, and in al-Buqu and a cemetery in Dhahran - the cemetery of the Yemeni martyrs on the Abha road.

Mushir Muhammad Mahyoub, 25, from Taiz governorate, Jabal Habashi district, married nearly a year before a broker convinced him to go to the Saudi border to fight, cheating him that he will officially be recruited in Mareb. When he went, he discovered that he was cheated, to be taken to the Saudi-Yemeni border. And under the pressure of need, he agreed. Just three months ago, Mushir had a baby, but the father himself was killed about two weeks ago, before he saw his baby. His wife suffered a difficult psychological state as a result of sadness and oppression. He was buried in the border, without his family final tribute, or possibility to visit his grave.

Fight to death or surrender your fate to the smugglers

Arriving of the recruits to the camp or joining the fighting fronts means that he was trapped there, where getting a leave or permission to return to Yemen is beyond his reach, a recruit can return only if he is injured, or participates in collective protests.

SAM received information on insults and abuses to the recruits, if they requested a leave, they are detained in camps, and treated with cruelty and their privacy is breached by searching their mobile phones, and are not allowed to communicate with outer world. One of these prisons was bombed by Houthis militia, many detainees, who escaped from the frontline to return to their families in Yemen, were killed. If a recruit managed to escape, he will be detained at the border port, if he failed to purchase permission to pass, from a network of brokers, and will be returned to the prison.

Some of the fighters' relatives, whom SAM had interviewed, said that "when their relatives fighting at the border, who decided to abandon the fighting and return home, were not allowed to do so." One of them told SAM that his relative request for

deportation with a group of his colleagues, but they detained them for days at the border gate and were attacked by Houthis missile that killed some of them, including his relative. "we don't know how Houthis knew about their escape". Another of my relatives also called me and said that they were about to leave before Yemeni soldiers cut them off, robbed them of all their money, returned them to the front by force and then returned the money they had looted. However, some fighters managed to escape and return in exchange for a money paid to the smugglers to transport them safely into Yemen.

"Some of the recruits there, remained for three years, and were not allowed to return," al-Majmari told SAM, referring to his brother Abdulelah, who described him as "a brave young man and a fierce fighter in the battles of Taiz, where he was wounded three times." He was tempted to fight at the Saudi border, where he fought for four months. He used to fight as he used to do in Taiz, but he was left alone and survived by God grace. Then he paid SAR.2000 to a smuggler who took him to Sana'a."



Detention and Dismissal of Service

Some Yemeni recruits, who are fighting at the southern Saudi borders, are exposed to arbitrary detention and enforced disappearances in Saudi intelligence prisons for long periods, which may last from six months to an unknown period, before they are deported to Mareb governorate.

Jamal (pseudonym name) tells SAM: "Saudi intelligence is spread among us in civilian clothes. No one can use his cell phone freely for fear of arrest. When they want to arrest someone, they bring him quietly, without notifying him he is wanted, and he did not return, we understand that he was detained", others noticing that". "I know someone the intelligence came and asked him by name, and then he went to the Saudi headquarters, and from there they took him to prison, when we asked about his whereabouts, they told us that he was taken to the intelligence prison. We know nothing about him yet".

Combatant Zaher, said that "one of the detained combatants in the southern border buried one of the dead Houthis, on one front, to be spotted by the drone, and arrested and accused of being agent of the Houthis."

The wounded, who are often unable to fight, are deported by bus to Mareb, before continuing their treatment, or knowing about their outstanding payments, that they were expecting to receive.

SAM does not have an accurate number of the wounded deported in this way.



Samples Reveal the Magnitude of the Disaster

Samples Reveal the Magnitude of the Disaster

Taiz is the governorate that provided the highest number of and martyrs in the Saudi border. We do not have accurate information on the total numbers, but they are estimated at not less than ten thousand recruits, according to insiders aware of the figures during the last two years (2017, 2018). This can be measured by some areas that can reveal to us the scale of the catastrophe faced by Yemeni youths in the Saudi border, in defence of its territory, who sees Houthis group as the first enemy of the Yemeni people, for taking over power by force, and the widespread violations against Yemeni civilians.

By the end of 2018, Jabal Habashi district, one of the districts of Taiz governorate, lost approximately 600 fighters. According to information from an officer from the district. The wounded were twice as many.

SAM has also seen a list of 36 dead fighters from the village of Duba' in the Shamayatain district of Taiz, the majority of whom were young people. The dire humanitarian situation prompted them to look for a source of livelihood in light of the widespread poverty among the people due to the war. All were buried inside the kingdom without their parents being able to pay them the final tribute.

Recommendations

In light of the above, SAM recommends the following:

- Both Saudi Arabia and the Republic of Yemen should immediately stop the involvement of Yemeni youth in this incineration and in a legal situation inconsistent with international laws and covenants, where many of the wounded and dead are denied many of their rights under international laws and conventions.
- SAM calls to correct all illegal situations, launch a serious and transparent investigation against all those responsible for this disaster, hold all those responsible for these abuses accountable, refer them to justice, and try them in accordance with the Yemeni military and civil laws, the criminal offenses law, etc.
- SAM calls on the international community to stand against the recruitment of Yemeni civilians, who have been forced by economic and living conditions, to join the front lines without prior experience or adequate training, and to engage them in an uncharted battle while lacking their most basic legal rights, beside the human rights violations they are subjected to, as we explained in the above investigation, and considering all of the above as legal and ethical crimes, both Saudi Arabia and the Government of Yemen are responsible.
- SAM calls on the Saudi and Yemeni sides to immediately begin correcting the mistakes that accompany the illegal recruitment of fighters in the border, above all: register all fighters in the official recruitment lists of the Yemeni government and granting them military ranks according to the preliminary (imaginary) lists. Granting the victims full legal rights, including their admitting them as as duty martyrs, and continuity of their salaries for their families or children; as well as caring for young Yemenis, especially the wounded and relatives of the dead, who have fallen victim to the incineration in the border, and compensating all those who have not yet been compensated, with just compensation.

Sam Organization for Rights and Liberties

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INCINERATION OF THE BORDER

Human rights report monitors on recruitment of Yemeni civilian
fighters to defend Saudi Arabia's southern border

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